

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF TEXAS**

RACHELLE RAND, ESPERANZA
GOTTSCHAU, and RAMON SOTO on
Behalf of Themselves and All Others
Similarly Situated,

Plaintiffs,

v.

EYEMART EXPRESS, LLC,

Defendant.

Case No. 3:24-cv-00621-N

**DEFENDANT EYEMART EXPRESS, LLC'S AGREED MOTION
FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT**

Defendant Eyemart Express, LLC ("Defendant"), by its attorney, Andrew F. Newman of Polsinelli PC, pursuant to Fed. R. Civ. P. 6(b)(1), moves for an extension of time in which to answer or otherwise respond to the Complaint. In support of its Motion, Defendant states:

1. The Complaint in this matter was filed on March 13, 2024, and Defendant was served via its Registered Agent, CT Corporation on March 15, 2024.
2. Defendant's deadline to answer or otherwise respond to the Complaint is currently April 5, 2024.
3. On April 3, 2024, counsel for Defendant contacted counsel for Plaintiffs via email and requested that Defendant may have up to and including May 6, 2024 to file its Answer or otherwise respond to Plaintiff's Complaint, subject to the Court's approval. Plaintiff's counsel responded and agreed to the extension via email.
4. Defendant is still reviewing the allegations and conducting an investigation into the allegations in order to prepare its response. Accordingly, Defendant respectfully requests an

extension through and including May 6, 2024, within which to file its answer or other response in this matter.

5. This is Defendant's first request for an extension of time to answer or otherwise respond to the Complaint.

6. This request is not made for the purpose of delay or harassment, and no party will be prejudiced by the additional time for Defendant to answer or otherwise respond.

WHEREFORE, Defendant Eyemart Express, LLC respectfully requests this Court grant this Agreed Motion for an Extension of Time to Respond to Complaint and enter an Order allowing it until May 6, 2024 to answer or otherwise respond in this matter.

Dated: April 4, 2024

Respectfully submitted,

By: /s/ Andrew F. Newman

Andrew F. Newman

Texas State Bar No. 24060331

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF CONFERENCE

Pursuant to LR 7.1(h) counsel for Defendant conferred with counsel for Plaintiffs via email on April 3, 2024. Counsel for Plaintiffs indicated that they do not oppose the relief sought herein.

CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2024, I electronically filed the above and foregoing motion with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following:

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